

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LEIGH-DAVIS GLASS,

Plaintiff,

v.

STEVEN S. LUBLINER, ESQ.,

Defendants.

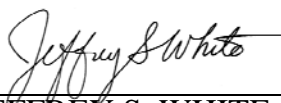
No. C 07-3658 JSW (PR)

ORDER OF DISMISSAL

On July 17, 2007, Plaintiff filed a document marked "complaint of attorney misconduct" in this Court against his current appellate attorney (docket no. 1), which the Clerk filed as a new civil rights action. On that same date, the Clerk notified Plaintiff that he had not paid the filing fee and that he must either pay the filing fee or a complete application to proceed *in forma pauperis* in thirty days or the action would be dismissed. As of this date, Plaintiff has not completed the application to proceed *in forma pauperis*, paid the filing fee or contacted the Court regarding this matter. Accordingly, this case is DISMISSED without prejudice for failure to prosecute and to comply with a court order pursuant to Federal Rule of Civil Procedure 41(b). *See Link v. Wabash R.R.*, 370 U.S. 626, 633 (1962); *McKeever v. Block*, 932 F.2d 795, 797 (9th Cir. 1991). The Clerk shall close the file and enter judgment in this matter.

IT IS SO ORDERED.

DATED: November 20, 2007


JEFFREY S. WHITE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

LEIGH-DAVIS GLASS,

Plaintiff,

v.

STEVEN S. LUBLINER et al,

Defendant.

Case Number: CV07-03658 JSW


CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 20, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Leigh-Davis Glass
Reg No. 24821-112
Federal Prison Camp-FCC Victorville
P.O. Box 5100
Adelanto, CA 92301

Dated: November 20, 2007


Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk